

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) No. 4:11CR463 AGF NAB
)
SCOTT EDWARDS,)
)
 Defendant.)

ORDER AND SPEEDY TRIAL FINDING

This matter is before the Court on Defendant's Motion to Continue the Motion Deadline [\[Doc. #19\]](#) filed on November 19, 2011. In support of the Motion Defendant stated:

1. At this juncture, Counsel has yet to receive any discovery for review and consideration. Counsel expects that said materials will be quite voluminous, involve a multitude of witness statements, investigative reports and supplemental(s), and other items of evidentiary review, to include the possibility of audio/video recordings. Therefore, discovery, when provided, will take some time to review. Counsel discussed this issue with the Assistant United States Attorney, Hal Goldsmith, who advised that all discovery materials will be available as they are received.
2. Because discovery has yet to be completed in this matter, Counsel has been unable to review materials purportedly related to this case for purposes of making a reasoned and educated assessment of the viability of filing pretrial motions and to further file fact-specific motions as this Court historically requests. Accordingly, additional time will be necessary to obtain and review discovery materials.

3. In addition to the extension of time to review discovery materials, Defendant would also request that this Court continue the evidentiary hearing now set for December 5, 2011 at 9:00 a.m. for those reasons set forth above.

Defendant requested that the pretrial motion deadline previously set for November 21, 2011 be continued until December 5, 2011 and the evidentiary hearing be continued.

Speedy Trial Finding: For the reasons set out in Defendant's motion, the Court finds that to deny Defendant's request for such additional time would deny counsel for Defendant the reasonable time necessary for effective investigation and preparation of pretrial motions, taking into account the exercise of due diligence, and that the ends of justice served by granting Defendant's request for additional time outweigh the best interest of the public and Defendant in a speedy trial, and therefore, the time granted to Defendant to investigate and properly prepare pretrial motions, or a waiver thereof, is excluded from computation of Defendant's right to a speedy trial pursuant to 18 U.S.C. §§ 3161(c)(1) and 3161(h)(7).

IT IS HEREBY ORDERED that Defendant's Motion to Continue the Motion Deadline [[Doc. #19](#)] is **GRANTED**. Defendant shall have to and including **December 5, 2011** to file any pretrial motions or waiver of motions. The government shall have until **November 12, 2011** to respond.

IT IS FURTHER ORDERED that the evidentiary hearing previously set for **December 5, 2011** shall be continued until **December 19, 2011** at **10:30 a.m.**

/s/ Nannette A. Baker
NANNETTE A. BAKER
UNITED STATES MAGISTRATE JUDGE

Dated this 21st day of November, 2011.